

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claim 3 has been amended to place it in independent form, by incorporating the subject matter of claim 2 (on which claim 3 depends) as well as the subject matter of claim 1 (on which claim 2 depends). In view of these amendments, claims 1 and 2 have been cancelled; claims 4 and 5 have been cancelled since they are dependent on cancelled claim 2; and claim 8 has been cancelled since it is dependent on cancelled claim 4.

Applicant respectfully submits that these amendments should be entered even though they are being presented after a final rejection. The claims remaining in the application after entry of the amendments would be claims 3, 6-7 and 9. Claims 6-7 are both dependent on claim 3, and claim 9 is dependent on claim 6. The Examiner has already considered all of the claims that would remain in the application. Accordingly, entry of the amendments will not necessitate any further consideration and/or search of the prior art. Furthermore, entry of the amendments will materially reduce the issues for appeal, since the amendments render the rejection in item 7 on page 3 of the Office Action moot because this rejection does not encompass claim 3 which would be the broadest claim remaining in the application after entry of the amendments. [Applicant notes that the item 7 rejection includes claim 6, but this claim is dependent on claim 3 which is not included in the item 7 rejection; therefore, it seems that claim 6 should not have been included in this rejection. Also note that claim 6 is included in the third paragraph under the rejection in the item 8 rejection.]

For these reasons, Applicant takes the position that the foregoing amendments to the claims should be entered.

The patentability of the presently claimed invention, after entry of the foregoing amendments, over the disclosure of the reference relied upon by the Examiner in rejecting the claims, will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 1, 2, 4 and 6 under 35 U.S.C. §102(b) as being anticipated by Tanide et al. (JP '197) (the item 7 rejection), as well as the rejection of claims 3, 5 and 7-9 under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) based on this reference (the item 8 rejection), are respectfully traversed.

Initially, as indicated above, it appears that claim 6 should not have been included in the item 7 rejection, since this claim is dependent on claim 3, which is not included in the item 7 rejection. Furthermore, although the statement of the item 8 rejection at page 4, lines 4-5 of the Office Action, does not include claim 6, this claim is mentioned (along with claims 3, 7 and 9) in the second paragraph under the statement of this rejection.

The sheet of the present invention, as set forth in amended claim 3 above, is a **stretched** and heat-fixed sheet. This is shown by the two conditions related to ΔH_m and ΔH_c in claim 3 (also see page 13, line 18 to page 14, line 5 of the present specification).

The plastic body disclosed in Tanide et al. on the other hand, is a sheet extrusion-molded from T dies or a plastic body formed by injection, vacuum or air-pressure forming (paragraph 0029 of Tanide et al.), which is **not stretched**.

The invention according to claim 3 of the present application has advantages in shock resistance and heat resistance (page 27, lines 8 to 11 of the specification). These features are obtained from the stretching process.

The invention according to Tanide et al. aims at reduction of volume after use (paragraph 0045 of Tanide et al.). Obtaining this feature depends on the materials of the plastic body, and stretching is not necessary.

Applicant notes that the "heating" recited in claim 3 (when the sheet is "heated") is **not** the heating during heat fixing. Rather, the heating recited in claim 3 is carried out to determine the ΔH_m and ΔH_c values of the sheet (as shown in Fig. 1). In other words, claim 3 defines the physical properties of the claimed sheet, and does not define the heat-fixing step. This is apparent from Fig. 1 and the description on page 14, lines 6 to 14 of the specification. That is, Fig. 1 clearly indicates that in order to determine the ΔH_m and ΔH_c values, the temperature is raised, i.e. **changed** within a wide range, while the description of page 14, lines 6 to 14 indicates that

heating during heat fixing is **not substantially changed**, at least not so markedly as with the heating shown in Fig. 1. Thus, it is apparent that "heating" recited in claim 3 and "heating" during heat fixing are completely different steps from each other.

From the original disclosure, page 13, line 22 to page 14, line 5, it is apparent that if the ΔH_m and ΔH_c values satisfy the relations recited in claim 3, the sheet is a stretched and heat-fixed sheet having sufficient shock resistance and heat resistance.

In other words, claim 3 **quantitatively** defines the physical properties of the **already stretched and heat-fixed** sheet using the ΔH_m and ΔH_c values, which have to be determined by heating the sheet, instead of using relative terms such as excellent, good, superior or high (heat resistance) or sufficiently (stretched and heat-fixed).

Thus, whereas the present invention is directed to a stretched and heat-fixed sheet, the plastic body of the Tanide et al. reference, is not stretched, and accordingly, this reference does not disclose or suggest the subject matter of claim 3 of the present application.

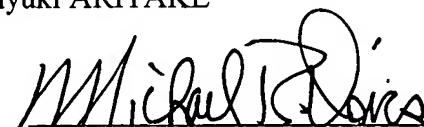
Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Toshiyuki ARITAKE

By:



Michael R. Davis

Registration No. 25,134

Attorney for Applicant

MRD/pth
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
June 17, 2009